

State Board of Embalmers and Funeral Directors

**August 21, 2012
Division of Professional Registration
3605 Missouri Blvd
Jefferson City, MO 65109**

OPEN MINUTES

The meeting of the State Board of Embalmers and Funeral Directors was called to order by D. Todd Mahn, Chairman at 8:42 a.m.

Roll Call

Board Members Present

D. Todd Mahn, Chairman
James Reinhard, Vice Chairman
John McCulloch, Secretary
Eric Pitman, Board Members

Board Members Not Present

Archie Camden
Gary Fraker

Staff Present

Sandy Sebastian, Executive Director
Lori Hayes, Inspector
Tabatha Lenzini, Administrative Assistant
Sharon Euler, Division Legal Counsel

Approval of Agenda

A motion was made by John McCulloch and seconded by James Reinhard to approve the amended open agenda. Motion carried with Eric Pitman voting in favor with no votes in opposition. Archie Camden and Gary Fraker were not present for the meeting.

Move to Close

A motion was made by John McCulloch and seconded by Eric Pitman to close for #1 and 2 of the motions to close. Motion carried with James Reinhard voting in favor with no votes in opposition. Archie Camden and Gary Fraker were not present for the meeting.

Executive Director Report

Sandy shared with the board that the office would be sending out some additional information to preneed sellers regarding their renewals/annual report forms that were recently mailed. While the new section relating to insurance assignments was added based on board directive the information pertaining to annuities was inadvertently omitted.

A member of the public asked if it was possible for the board to work on a process to verify the tax compliance and the corporation status for renewals rather than having the licensee provide that information. Sandy stated that the board office would explore options and had looked into briefly but the timelines were not possible for this renewal period.

Sandy researched at the request of the chairman, costs associated with having the September board meeting at Lake Ozark and reported that the cost might be close to double that from a meeting in Jefferson City. The board decided to have the meeting in Jefferson City and looked at September 18 and 19 as possible date options. Sandy said she would check and communicate with them.

Sandy shared the agenda from the upcoming NFDA convention and there was discussion of agenda items and applicability to regulation. The board indicated they would look over the agenda. No decision was made regarding attempting to send someone from the board to the convention.

Legal Counsel Report

Sharon reported there was nothing new with Cassidy's trial and that it's still set for August of next year. Sharon reported that Ronald Marts was criminally charged for misappropriation of preneed funds.

Missouri Electronic Vital Records (MoEVR) Process

Harold Kirby, Director, Division of Community and Public Health, DHSS met with the board and provided an update regarding the implementation of the new MoEVR system. He stated that in order to facilitate the process, if the funeral establishment is utilizing the system and the certifier (physician) is not and the establishment begins the process in the system and then drops to paper and obtains physical signature and takes the paper to the local health department, they will be able to stamp them. Kirby stated that the university or VA could be done if all paper. He stated that options are being explored to allow exporting of data from the MoEVR system to assist the users (funeral establishments) and facilitate data feeds into the users system to eliminate duplication of entry.

George Treaster dba White Funeral Home – Case 12-005-PV – Probation Hearing

A motion was made by James Reinhard and seconded by John McCulloch to continue the hearing. Motion carried with Eric Pitman voting in favor with no votes in opposition. Archie Camden and Gary Fraker were not present for the meeting.

Move to Close

A motion was made by James Reinhard and seconded by Eric Pitman to close for # 1, 2, 7, and 9 of the motions to close. Motion carried with John McCulloch voting in favor with no votes in opposition. Archie Camden and Gary Fraker were not present for the meeting.

Open Discussion/Dialogue

Don Otto shared with the group that in early May 2013 the joint association conventions between Kansas and Missouri would be held.

Adjournment

James Reinhard and seconded by John McCulloch to adjourn. Motion carried with Eric Pitman voting in favor with no votes in opposition. Archie Camden and Gary Fraker were not present for the meeting.

Executive Director: Sandy Sebastian

Approved by the Board on: 9.25.2012

MOTIONS TO GO INTO CLOSED SESSION

1. DISCIPLINE

I move that this meeting be closed and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under Section 610.021, Subsection (1) RSMo and 324.001.9 RSMo for deliberation on discipline

2. LEGAL ACTIONS/LITIGATIONS/PRIVILEGED COMMUNICATIONS

I move that this meeting be closed and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under Section 610.021, Subsection (1) RSMo for discussing general legal actions, causes of action or litigation and any confidential or privileged communications between this agency and its attorney

3. PROMOTING/HIRING/DISCIPLINING/FIRING EMPLOYEES

I move that this meeting be closed and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under Section 610.021, Subsection (3) RSMo discussing hiring, firing, disciplining or promoting an employee of this agency

4. DIAGNOSIS/TREATMENT OF DISCIPLINED LICENSEES

I move that this meeting be closed and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under Section 610.021, Subsection (5) and Section 324.001.8 RSMo. for proceedings required pursuant to a disciplinary order concerning medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment of specific licensees

5. EXAMINATION MATERIALS

I move that this meeting be closed and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under Section 610.021, Subsection (7) RSMo for reviewing testing and examination materials

6. EMPLOYEE PERFORMANCE RATINGS

I move that this meeting be closed and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under Section 610.021, Subsection (13) RSMo for making performance ratings pertaining to individual employees

7. APPLICATIONS

I move that this meeting be closed and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under Section 610.021, Subsection (14) and Section 324.001.8 RSMo for discussing educational transcripts and/or test scores and/or complaints and/or audits and/or investigative reports and/or other information pertaining to the licensee or applicant for licensure

8. CLOSED MINUTES

I move that this meeting be closed and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under Section 610.021, Subsection (14) and 324.017 RSMo for the purpose of reviewing and approving the closed minutes of previous meetings

9. COMPLAINTS/ INVESTIGATIVE REPORTS/AUDITS

I move that this meeting be closed and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under Section 610.021 subsection (14) and section 620.010.14 subsection (7) RSMo for the purpose of discussing investigative reports and/or complaints and/or audits and/or other information pertaining to a licensee or applicant

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